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Attorneys for Defendants: California Heritage Partners, LLC., Saeed I. Khan DBA Cigarette City;
Nasreen A. Khan Retail Corporation, Inc. dba Cigarette City

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DARREN GILBERT,

Plaintiff,

vs.

CALIFORNIA HERITAGE PARTNERS,
LLC; SAEED I. KHAN dba CIGARETTE
CITY; NASREEN A. KHAN RETAIL
CORPORATION, INC. dba CIGARETTE
CITY;

Defendants.

CASE NO.: 2:22-CV-01421-TLN-DB

Complaint Filed: August 10, 2022
Trial Date: Not Set

**JOINT STIPULATION TO SET
ASIDE ENTRY OF DEFAULT;
ORDER**

STIPULATION

IT IS HEREBY STIPULATED, by and between Plaintiff, DARREN GILBERT, a corporation; (“Plaintiff”) and Defendants, CALIFORNIA HERITAGE PARTNERS, LLC; SAEED I. KHAN dba CIGARETTE CITY; NASREEN A. KHAN RETAIL CORPORATION, INC. dba CIGARETTE CITY (collectively, the “Defendants”) that:

WHEREAS, on August 10, 2022, Plaintiff filed a Complaint against Defendants in the Eastern District of California Court, Fresno Division;

WHEREAS, on September 28, 2022, Plaintiff and Defendant CALIFORNIA HERITAGE PARTNERS, LLC, entered a stipulation for Defendant’s responsive pleading to be due on October 25, 2022;

WHEREAS, on September 28, 2022, Plaintiff filed his Request for Entry of Default as to Defendants SAEED I. KHAN dba CIGARETTE CITY; NASREEN A. KHAN RETAIL CORPORATION, INC. dba CIGARETTE CITY only;

WHEREAS, on September 28, 2022, the Court, entered default of Defendants SAEED I. KHAN dba CIGARETTE CITY; NASREEN A. KHAN RETAIL CORPORATION, INC. dba CIGARETTE CITY and CALIFORNIA HERITAGE PARTNERS, LLC;

WHEREAS, STEARNS KIM STEARNS & RYAN represents all Defendants in this action;

WHEREAS, Plaintiff stipulates to set aside the defaults as to Defendants CALIFORNIA HERITAGE PARTNERS, LLC, SAEED I. KHAN dba CIGARETTE CITY; NASREEN A. KHAN RETAIL CORPORATION, INC. dba CIGARETTE CITY, with all Defendants to file a responsive pleading no later than October 31, 2022.

WHEREAS, this extension does not alter the date of any event or deadline already fixed by Court order;

THEREFORE, IT IS HEREBY STIPULATED that the September 28, 2022 entry of default as to Defendants CALIFORNIA HERITAGE PARTNERS, LLC, SAEED I. KHAN dba CIGARETTE CITY; NASREEN A. KHAN RETAIL CORPORATION, INC. dba CIGARETTE CITY be set aside,

1 with all Defendants to file responsive pleadings no later than October 31, 2022.

2
3 Dated: October 19, 2022

MOORE LAW FIRM, P.C.

4 /S/ Tanya E. Moore

5 By: _____
6 Tanya E. Moore
7 Attorneys for Plaintiff
8 Darren Gilbert

9 Dated: October 19, 2022

STEARNS KIM STEARNS & RYAN

10 /S/ Michael J. Ryan

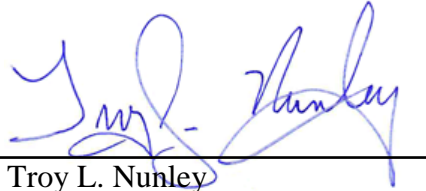
11 By: _____
12 Michael Ryan
13 Attorneys for Defendant
14 California Heritage Partners, LLC

15 **ORDER**

16 IT IS HEREBY ORDERED, pursuant to the Stipulation by the parties, as follows:

- 17 1. The Request for Entry of Default entered on September 28, 2022, in the above-entitled
18 Court against Defendants SAEED I. KHAN dba CIGARETTE CITY; NASREEN A.
19 KHAN RETAIL CORPORATION, INC. dba CIGARETTE CITY and CALIFORNIA
20 HERITAGE PARTNERS, LLC, is hereby vacated;
21
22 2. Defendants to file responsive pleadings no later than October 31, 2022.

23
24
25 Dated: October 21, 2022

26 
27 Troy L. Nunley
28 United States District Judge